

1  
2  
3  
4  
5  
6  
7           UNITED STATES DISTRICT COURT  
8           WESTERN DISTRICT OF WASHINGTON  
9           AT SEATTLE

10           NORTHWEST  
11           ADMINISTRATORS, INC.,

12                         Plaintiff,

13           v.  
14           WESTERN HOLSTEIN FARMS,  
15           INC.,

16                         Defendant.

CASE NO. C18-1494JLR

ORDER DENYING PLAINTIFF'S  
SECOND AMENDED MOTION  
FOR DEFAULT JUDGMENT  
AND DIRECTING PLAINTIFF  
TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT BE  
ISSUED

16           Before the court is Plaintiff Northwest Administrators, Inc.'s ("Northwest  
17           Administrators") second amended motion for default judgment against Defendant  
18           Western Holstein Farms, Inc. ("Western Holstein"). (2d Am. Mot. (Dkt. # 14).) The  
19           court has reviewed the motion and Northwest Administrators' submissions in support of  
20           the motion. (*See id.*; 2d Am. Schumacher Decl. (Dkt. # 15).) For the reasons discussed  
21           below, the court DENIES the motion without prejudice. The court further ORDERS  
22           Northwest Administrators to show cause why the court should not issue sanctions in light

1 of Northwest Administrators' failure to comply with the court's directives in its April 24,  
2 2019, and May 13, 2019, orders. (4/24/19 Order (Dkt. # 9); 5/13/19 Order (Dkt. # 13).)

3       This is Northwest Administrators' third attempt to obtain a default judgment  
4 against Western Holstein in this matter. (*See* Mot. (Dkt. # 7); Am. Mot. (Dkt. # 10); 2d  
5 Am. Mot.) On April 24, 2019, the court denied Northwest Administrators' first motion  
6 for default judgment. (4/24/19 Order.) In so doing, the court explained why the second  
7 page of Exhibit H to Jeremy Schumacher's declaration ("the Interest Worksheet"), which  
8 purported to calculate the interest Western Holstein owed the Western Conference of  
9 Teamsters Pension Trust Fund, "require[d] additional explanation." (4/24/19 Order at 3;  
10 *see also* Schumacher Decl. (Dkt. # 8) ¶ 20, Ex. H at 71.)

11       In its amended motion for default judgment, Northwest Administrators failed to  
12 address the court's concerns. (*See generally* Am. Mot.; Am. Schumacher Decl. (Dkt.  
13 # 11).) In fact, Mr. Schumacher submitted the same Interest Worksheet, with a single  
14 modification. (*See* Am. Schumacher Decl. ¶ 20, Ex. H at 71.) As a result, the court  
15 denied Northwest Administrators' amended motion for default judgment. (*See* 5/13/19  
16 Order at 3-4.) This time, the court explicitly ordered Northwest Administrators to file "a  
17 second amended motion for default judgment that clarifies the import of the sixth and  
18 eighth columns of the Interest Worksheet and otherwise complies with Local Rule  
19 55(b)." (*Id.*); *see also* Local Rules W.D. Wash. LCR 55(b).

20       Once again, Northwest Administrators has failed to heed the court's directives.  
21 Rather than addressing the court's identified concerns about the Interest Worksheet,  
22 Northwest Administrators filed a revised worksheet ("the Revised Interest Worksheet")

1 that bears little resemblance to the Interest Worksheets that accompanied the original and  
2 amended motions for default judgment. (*Compare* 2d Am. Schumacher Decl. ¶ 22, Ex. H  
3 at 71, *with* Schumacher Decl., Ex. H at 71, *and* Am. Schumacher Decl., Ex. H at 71.) On  
4 its face, the Revised Interest Worksheet appears to support Northwest Administrators'  
5 second amended motion. But the court does not approach the Revised Interest Worksheet  
6 in a vacuum: having seen two previous versions of the worksheet, both of which were  
7 deficient (and dramatically different from the version now before the court), the court  
8 cannot simply accept the Revised Interest Worksheet at face value, absent an explanation  
9 of the revisions.

10       The court also observes that the Revised Interest Worksheet miscalculates the total  
11 interest Northwest Administrators claims it is due, pursuant to the interest rates listed on  
12 the worksheet. By the court's calculation, the total interest due should total \$2,129.53,  
13 not \$2,212.93. (*See* 2d Am. Schumacher Decl. ¶ 22, Ex. H at 71.)

14       Accordingly, the court ORDERS Northwest Administrators to file, within seven  
15 days of the date of this order, a third amended motion for default judgment in which it:  
16 (1) addresses each concern regarding the Interest Worksheet the court enumerated in its  
17 May 13, 2019, order; (2) comprehensively explains why Northwest Administrators  
18 revised the worksheet as it did; and (3) correctly totals the interest Northwest  
19 Administrators claims it is due. The court cautions Northwest Administrators that it may  
20 deny the third amended motion for default judgment with prejudice if the motion fails to  
21 address these issues or otherwise does not comply with the Local Rules. *See* Local Rules  
22 W.D. Wash. LCR 55(b). Furthermore, the court ORDERS Northwest Administrators to

1 show cause why it should not be sanctioned for failure to comply with the court's  
2 directives in its April 24, 2019, and May 13, 2019, orders.

3 Dated this 29th day of May, 2019.

4  
5  
6



The signature is handwritten in black ink. It consists of a stylized 'J' at the top left, followed by 'James' in a cursive script, a short horizontal line, and 'L. Robart' in a bold, sans-serif font.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

6 The Honorable James L. Robart  
7 U.S. District Court Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22